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December 8, 2016

Texas Commission on Environmental Quality
Water Supply Division, Water Rights Permitting MC-160
P.O. Box 13087
Austin, Texas 78711-3087

RECEIVED
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WATER AVAILABILITY DIV.

RE: City of Dallas Application to Amend Permit 12468, as amended

Dear Water Rights Permitting Team:

On behalf of my client, the City of Dallas ("City" or "Dallas"), I am pleased to submit the following application package for an amendment to water use Permit No. 12468. The application includes one (1) original and six (6) copies of the following information behind the designated tabs:

- Tab A – Completed TCEQ Application for Amendment to a Water Right (Form 10201)
- Tab B – Supplemental Technical Document
- Tab C – Supplemental Discharge Sheet for the Central Wastewater Treatment Plant
- Tab D – Supplemental Discharge Sheet for the Southside Wastewater Treatment Plant
- Tab E – Supplemental Diversion Sheet
- Tab F – USGS Topographic Maps of Discharge Points and Diversion Reach
- Tab G – Documentation of Signature Authority
- Tab H – Copy of Permit No. 12468
- Tab I – Copy of Amendment A of Permit No. 12468

In addition to the above described application materials, we will be providing the updated version of the Permit No. 12468 Accounting Plan (*the City of Dallas Indirect Water Reuse*

Accounting Plan) which will be submitted electronically via email shortly for review and approval by TCEQ staff.

Finally, I have included a check for \$102.00 in payment of the water rights amendment application fees.

Please let me know if we can provide additional information or assistance. The entire City of Dallas water rights regulatory team (City of Dallas Water Utilities Department and City Attorney's Office, HDR Engineering, Inc., and I) look forward to working with the Commission on this permit amendment and thank you for your time and cooperation on this important project for the City of Dallas.

Sincerely,


Gwendolyn Hill Webb
ATTORNEY FOR THE CITY OF DALLAS

Enclosures

Tab A.

Completed TCEQ Application for Amendment to a Water Right
(Form 10201)



Texas Commission on Environmental Quality

PO Box 13087, MC-160, Austin, Texas 78711-3087

Telephone (512) 239-4691, FAX (512) 239-4770

APPLICATION FOR AMENDMENT TO A WATER RIGHT

Notice: This form will not be processed until all delinquent fees and/or penalties owed to the TCEQ or the Office of the Attorney General on behalf of the TCEQ are paid in accordance with the Delinquent Fee and Penalty Protocol.

Customer Reference Number (if issued): CN 600331730

Note: If you do not have a Customer Reference Number, complete Section II of the Core Data Form (TCEQ-10400) and submit it with this application.

1. **Name:** City of Dallas, c/o Jo M. Puckett, P.E., Director, Dallas Water Utilities Department

Address: 1500 Marilla Street, Room 4AN

Phone Number: (214) 670-3144

Fax Number: (214) 670-3154

Email Address: jo.puckett@dallascityhall.com

2. **Applicant owes fees or penalties?**

☐ Yes ☒ No

If yes, provide the amount and the nature of the fee or penalty as well as any identifying number:

3. ☒ **Permit No.** 12468 ☐ **Certificate of Adjudication No.** _____

Stream: Baker's Branch, tributary of Denton Creek; Denton Creek and Prairie Creek, tributaries of Elm Fork Trinity River; Elm Fork Trinity River, tributary of the Trinity River; East Fork Trinity River, Tributary of the Trinity River; and Trinity River

Watershed: Trinity River Basin

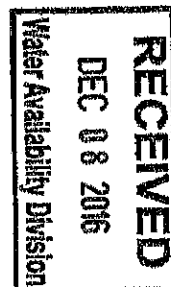
Reservoir (present condition, if one exists): Lewisville Lake and Lake Ray Hubbard

Counties: For Lewisville Lake - Dallas and Denton Counties; For Lake Ray Hubbard - Collin, Dallas, Kaufman and Rockwall Counties; For Dallas' Central and Southside Wastewater Treatment Plants - Dallas County

4. **Proposed Changes To Water Right Authorizations:**

In this application, the only changes Dallas seeks to Water Use Permit No. 12468, as amended, are to provide for compliance with applicable environmental flow standards.

Dallas does not seek a new appropriation through this amendment application, and Dallas specifically does not seek any changes to the place of use, the purpose of use, the point(s) of diversion, or the rate of diversion. No changes are sought with respect to Dallas' authorized agricultural use or irrigation.



Under Permit No. 12468, as amended, Dallas is authorized to use up to 247,200 acre-feet of water per annum through indirect reuse of treated wastewater effluent return flows from Dallas' Central and Southside Wastewater Treatment Plants and from treated wastewater effluent discharges from the City of Lewisville and the Town of Flower Mound. Special Condition 7.D. of Permit No. 12468 states: "Permittee shall continue to discharge 114,000 acre-feet of return flows from the City of Dallas' Central and Southside Wastewater Treatment Plants and allow that amount to remain in the Trinity River Basin for instream flows." Special Condition 7.D. was included before the TCEQ implemented Senate Bill 3 ("SB 3") of the 80th Regular Session of the Texas Legislature, which required the TCEQ to establish environmental flow standards through specified consensus building procedures. The TCEQ adopted rules implementing SB 3 and adopted environmental flow standards for the Trinity and San Jacinto River Basins and Galveston Bay adopted to be effective May 15, 2011, 36 TexReg 2908. The specific environmental flow standards are set forth in TCEQ Rules at 30 Tex. Admin. Code §298.200, et seq. Since the adoption of the environmental flows standards for the Trinity and San Jacinto River Basin, the TCEQ is applying those standards to water rights permits in the Trinity River Basin, including permits recently issued to Trinity River Authority and the City of Dallas.

Consequently, Dallas now seeks to amend Special Condition 7.D. of Permit No. 12468 to conform to the TCEQ Rules at 30 Tex. Admin. Code §298.200, et seq. The amount of water authorized to be diverted and used, the diversion rate, and the purposes and places of use will not change with the issuance of the amendment requested. Only the environmental flows requirements will change from the provisions set forth in the current Special Condition 7.D. to include all terms and conditions necessary to meet Trinity River Basin environmental flow standards as specifically enumerated in 31 TAC §298.220 and §298.225, consistent with the requirements of Chapter 11 of the Texas Water Code.

Additionally, Dallas has discussed with other Trinity River Basin water suppliers allowing 30% of return flows derived from the permitted use of Trinity River Basin surface water to remain in the Trinity River Basin. In this amendment application, Dallas requests that the permit amendment include a provision which specifies that Dallas will continue to limit its diversion of return flows consistent with these discussions and the "30% Condition."

To summarize, in this amendment application, Dallas seeks to implement its authorized water reuse under Water Use Permit No. 12468, as amended, consistent with the Environmental Flow Standards for Surface Water in the Trinity and San Jacinto Rivers and Galveston Bay, and, also, subject to Dallas' continued compliance with the 30% Condition.

(Attach additional page as necessary, attach map/plot depicting project location, diversion point, place of use, and other pertinent data).

5. I understand the Agency may require additional information in regard to the requested amendment before considering this application.

[Signature]
Name (sign)

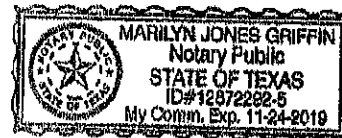
Jo M. Puckett
Name (print)

Name (sign)

Name (print)

Subscribed and sworn to me as being true and correct before me this 6th day of December, 2016.

[Signature]
Notary Public, State of Texas



Supplemental Diversion Point Information Sheet

Diversion Point No. _____

1) Watercourse: _____

Location of point of diversion at Latitude _____°N, Longitude _____°W, also, bearing _____°, _____ feet (distance) from the _____ corner of the _____ Original Survey No. _____, Abstract No. _____, in _____ County, Texas. (Provide the latitude and longitude coordinates in decimal degrees, to at least six decimal places. Indicate the method used to calculate the diversion point location).

3) Location from County Seat: _____ miles in a _____ direction from _____ County, Texas.

Location from nearby town (if other than County Seat): _____ miles in a _____ direction from _____, a nearby town shown on county highway map.

4) Zip Code: _____

5) The diversion will be (check (✓) all appropriate boxes and if applicable, indicate whether existing or proposed):

	Directly from stream	Existing	Proposed
	From an on-channel reservoir		
	From a stream to an off-channel reservoir		
	From a stream to an on-channel reservoir		
	From an off-channel reservoir		
	Other method (explain fully, use additional sheets if necessary)		

6) Rate of Diversion (Check (✓) applicable provision):

___ 1. Diversion Facility:

A. _____ Maximum gpm (gallons per minute)

- 1) _____ Number of pumps
- 2) _____ Type of pump
- 3) _____ gpm, Pump capacity of each pump
- 4) Portable pump _____ Yes or _____ No

___ 2. If by gravity:

A. _____ Headgate _____ Diversion Dam _____ Maximum gpm

B. _____ Other method (explain fully - use additional sheets if necessary)

7) The drainage area above the diversion point is _____ acres or _____ square miles.

Supplemental Dam/Reservoir Information Sheet

Dam (structure), Reservoir and Watercourse Data

A. Type of Storage Reservoir (Indicate by checking (✓) all applicable)

☐ on-channel ☐ off-channel ☐ existing structure ☐ proposed structure* ☐ exempt structure**

*Applicant shall provide a copy of the notice that was mailed to each member of the governing body of each county and municipality in which the reservoir, or any part of the reservoir, will be located as well as copies of the certified mailing cards.

**TWC Section 11.143 for uses of water for other than domestic, livestock, or fish and wildlife from an existing, exempt reservoir with a capacity of 200 acre-feet or less. Please complete Paragraph 6 below if proceeding under TWC 11.143.

Date of Construction _____

B. Location of Structure No. _____

1) Watercourse: _____

2) Location from County Seat: _____ miles in a _____ direction from _____,
_____ County, Texas.

Location from nearby town (if other than County Seat): _____ miles in a _____ direction from _____,
a nearby town shown on county highway map.

3) Zip Code: _____

4) The dam will be/is located in the _____ Original Survey
No. _____, Abstract No. _____ in _____ County, Texas.

5) Station _____ on the centerline of the dam is _____° _____ (bearing), _____ feet
(distance) from the _____ corner of _____ Original
Survey No. _____, Abstract No. _____, in _____ County, Texas, also
being at Latitude _____°N, Longitude _____°W. (Provide the latitude and longitude
coordinates in decimal degrees, to at least six decimal places. Indicate the method used to calculate the diversion
point location).

C. Reservoir:

1) Acre-feet of water impounded by structure at normal maximum operating level: _____

2) Surface area in acres of reservoir at normal maximum operating level: _____

D. The drainage area above the dam is _____ acres or _____ square miles.

E. Other:

1) If this is a U.S. Natural Resources Conservation Service (NRCS) (formerly Soil Conservation Service (SCS)) floodwater-retarding structure, provide the Site No. _____ and watershed project name _____

2) Do you request authorization to close the "ports" or "windows" in the service spillway?

☐ Yes ☐ No

Supplemental Discharge Point Information Sheet

Discharge Point No. or Name: _____

1) Select the appropriate box for the source of water being discharged:

☐ Treated effluent

☐ Groundwater

☐ Other _____

2) Location of discharge point will be/is at Latitude _____° N, Longitude _____°W,
also bearing _____°, _____ feet from the _____ corner of the _____

Original Survey No. _____, Abstract No. _____, in _____ County, Texas.

Provide the latitude and longitude coordinates in decimal degrees, to at least six decimal places, and indicate the method used to calculate the diversion point location. (i.e., GPS Unit, USGS 7.5 Topographic Map, etc.)

3) Location from County Seat: _____ miles in a _____ direction from _____,
_____ County, Texas.

Location from nearby town (if other than County Seat): _____ miles in a _____
direction from _____, a nearby town shown on county highway map.

4) Zip Code: _____

5) Water will be discharged into _____ stream/reservoir,
(tributaries) _____,
_____ Basin.

6) Water will be discharged at a maximum rate of _____ cfs (_____ gpm).

7) The amount of water that will be discharged is _____ acre-feet per year.

8) The purpose of use for the water being discharged will be _____.

9) Additional information required:

For groundwater

1. Provide water quality analysis and 24 hour pump test for the well if one has been conducted.
2. Locate and label the groundwater well(s) on a USGS 7.5 Minute Topographic Map
3. Provide a copy of the groundwater well permit if it is located in a Groundwater Conservation District.
4. What aquifer the water is being pumped from?

For treated effluent

1. What is the TPDES Permit Number? Provide a copy of the permit.
2. Provide the monthly discharge data for the past 5 years.
3. What % of treated water was groundwater, surface water?
4. If any original water is surface water, provide the base water right number.